IN THE HIGH COURT OF BOMBAY AT GOA

MISCELLANEOUS CIVIL APPLICATION NO. 264 OF 2006

Shri Anand S. Verenkar ... Applicant

versus

State of Goa through its
Chief Secretary and others. ... Respondents

Mr. M. S. Sonak, Advocate for the Applicant.

Mr. S. S. Kantak, Advocate General with Ms. R. Chodankar, Additional Government Advocate for the Respondent Nos.1 and 3.

CORAM : A. P. LAVANDE &
N. A. BRITTO, JJ.

DATE : 26TH APRIL, 2006.

P.C.:-

Heard Mr. M. S. Sonak, the learned Counsel for the applicant and Mr. S. S. Kantak, the learned Advocate General for the respondent nos.1 and 3.

The above petition was filed by the petitioner, inter alia, challenging the virus of Sub-Sections (3) and (4) of Section 6, inserted by Goa Municipalities(Amendment) Act, 2001. The petition was heard on 2-12-2005. At the request of the learned Advocate General appearing on behalf of the respondent nos.1 and 3 time was sought to discuss the matter with the State Government without prejudice to the rights of the Government and to take instructions in this regard from the Government. Accordingly, six weeks time was granted to the learned Advocate General for the said purpose. It is the grievance of the petitioner that notwithstanding the said Order dated 2-12-2005 passed by this Court the State Government has not taken any decision so far but on the contrary has decided to hold elections to the Village Panchayat of Sanquelim which is scheduled on 30-4-2006. The applicant seeks stay of the elections to the Village Panchayat of Sanquelim.

Considering the facts and circumstances of the case, we deem it appropriate to direct the State Government to take decision on the issues raised in Writ Petition No. 3 of 2001 on or before 29-4-2006. It is made clear that if the State Government

decides to proceed with the elections of the Village Panchayat of Sanquelim scheduled on 30-4-2006 the same shall be subject to further order that may be passed in the Writ Petition.

Application stands disposed of.

Parties to act on the authenticated copy of the order.

A. P. LAVANDE, J.

N. A. BRITTO, J.

RD